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November 23, 2021

Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square (Room 2103)  
New York, New York 10007

**MEMO ENDORSED**

*Filed Via ECF & Email (Failla\_NYSDChambers@nysd.uscourts.gov)*

**RE: KYLE JOHNSON**  
**21 CR 256 (KPF)**

Dear Judge Failla:

Please allow the instant correspondence to serve as Defendant, Kyle Johnson's, third letter motion in request of an adjournment.

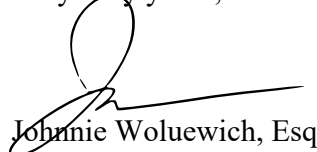
Mr. Johnson's next conference with this Honorable Court was scheduled for December 3, 2021, at 3:00pm. I have been informed by Your Honor's Law Clerk that Mr. Johnson cannot be produced at that time.

In light of the foregoing, as well as in the interest of my continued efforts to resolve this matter, I am respectfully requesting an adjournment of the aforementioned conference to December 10, 2021 at 11:00am.

It is my understanding that AUSA Swergold will be available at that time.

I thank Your Honor in advance and apologize for any inconvenience.

Very truly yours,



Johnnie Woluewich, Esq

cc: AUSA Jason Swergold

Application GRANTED. The conference in the above-captioned matter scheduled for December 3, 2021, is hereby ADJOURNED to December 10, 2021, at 11:00 a.m. As before, this conference will proceed via videoconference. Access instructions for the public and the video participants will be distributed in advance of the conference.

The Clerk of Court is directed to terminate the pending motion at docket entry 28.

Date: November 23, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE